

### **REMARKS**

In the Office Action,<sup>1</sup> the Examiner:

- Objected to the Title and Abstract; and
- Rejected claim 7 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,330,518 to Adler. ("Adlerki").

By this amendment, Applicants amend the specification; cancel claim 7 without prejudice or disclaimer; and add new claims 9-11.

### **Objection to the Specification**

In the Office Action, the Examiner objected to the title and abstract. Applicants assert that the Examiner's objections are rendered moot by the newly submitted title and abstract and respectfully request that these objections be withdrawn.

### **Information Disclosure Statement**

In the Information Disclosure Statement filed March 21, 2005, U.S. patent number 4,189,249, the reference intended to be cited, was inadvertently listed as U.S. patent number 4,189,239. A new Information Disclosure Statement is filed concurrently herewith correctly citing U.S. patent number 4,189,249.

### **Rejection under 35 U.S.C. § 102(b)**

In the Office Action, the Examiner rejected claim 7 under 35 U.S.C. § 102(b) as being anticipated by Adler. Office Action at 3. Applicants respectfully disagree with that rejection. Nevertheless, to advance the prosecution, applicants elect to cancel claim 7

---

<sup>1</sup> The Office Action may contain a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

without prejudice or disclaimer and submit new claims 9-11, thereby rendering the Examiner's rejection of now canceled claim 7 moot.

Moreover, applicants respectfully submit that new claims 9-11 are neither anticipated nor rendered obvious by Adler. First, in applying Adler to now canceled claim 7, the Examiner considered supporting member 12 of Adler to comprise **both** the "rod-shaped central portion" and the "bottom" of the claimed invention. Quite obviously this item cannot satisfy both limitations.

Second, assuming supporting member 12 of Adler were considered to be the "bottom" of new claims 9-11, it is quite apparent that there is no "plurality of lug positioning devices" that are located "one at each end of said longitudinal direction" in Adler. Moreover, even if the "longitudinal direction" of Adler's supporting member 12 was deemed to be in the vertical direction shown in Figure 2, there are nevertheless no lug openings "with the axis of said openings located in said transverse direction of said bottom" as is now required by claims 9-11.

Moreover, with respect to new claims 10 and 11, and there is no disclosure in Adler of the recited "four protruding members," as is required by these claims.

Accordingly, for at least the above-noted reasons, Applicants request the allowance of new claims 9-11.

### **Conclusion**

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 19, 2009

By: 

John M. Romary  
Reg. No. 26,331

1857117v1